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HIGH COURT OF CHHATTISGARH AT BILASPUR
Writ Petition (C) No. 5942 of 2007

PETITIONERS : 1. Shri Minerals, a Partnership firm, duly registered under the Partnership Act, bearing Registration No. 107/2006 having its office at Care of Vikas Medical Stores, Kawardha, District Kabirdham (Chhattisgarh).
2. Nand Kishore Choubey, S/o Shri Sumant Prasad Choubey, aged about 51 years, Radhakrishna Ward Kawardha, District Kabirdham (Chhattisgarh).

VERSUS

RESPONDENTS : 1. State of Chhattisgarh through the Secretary, Department of Mining Mantralaya, Dau Kalyan Singh Bhawan, Raipur (Chhattisgarh).
2. Collector (Mining) District Kabirdham (Chhattisgarh)
3. Superintendent of Police, Kabirdham (Chhattisgarh).
4. Station House Officer, Police Station Bodla, Tahsil Kawardha, District Kabirdham (Chhattisgarh).
5. Shyam Tamboli, S/o N.R. Tamboli, R/o Hataripara, (Near Karpatri Park) Kawardha, District Kabirdham (Chhattisgarh).

(WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA)

(SB: Hon'ble Mr. Satish K. Agnihotri, J.)

Present : Shri Ashish Shrivastava, Advocate for the petitioners.
Shri Vivek Sharma, Panel Lawyer for the State/respondent No.1 to 4.
Shri Lokesh Pandey, Advocate for the respondent No. 5.

ORDER
(Passed on this 14th of November, 2007)

(1) Learned counsel appearing for the petitioners submits that in spite of several representations made to the respondent No. 2 i.e. Collector (Mining), Kabirdham, for taking actions on illegal mining, against the respondent No. 5., nothing has been done till date.

(2) At this stage, learned counsel appearing for the petitioners further submits that the petitioners be permitted to make a fresh application before the respondent No. 2 and the respondent No. 2 (Collector Mining, Kabirdham) be directed to take actions, as permissible in law, within reasonable time, to which the learned counsel appearing for the respondents have no objection.

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(3) The respondent No. 2 is accordingly directed to consider the representation, if filed, and if necessary, make proper investigation and take appropriate actions, in accordance with law, as early as possible, preferably within a period of two months from the date of receipt of fresh representation, filed by the petitioners.

(4) In view of the foregoing, the writ petition is disposed of with above directions. No order asto costs.

Sd/-
Satish K. Agnihotri
Judge

Sahu